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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-0237 MHP
)	
Plaintiff,)	
)	PARTIES' JOINT REQUEST TO CONTINUE
v.)	SENTENCING DATE AND [PROPOSED]
)	ORDER
BECKY CHRISTIAN,)	
)	
Defendant.)	
)	

It is hereby stipulated by and between counsel for the United States, Assistant U.S. Attorney Kyle F. Waldinger, and counsel for defendant Becky Christian, Steven M. Bauer and John F. Walsh, that, subject to the Court's approval, the sentencing hearing presently set for May 17, 2010, be continued and set for a sentencing hearing on October 18, 2010, at 9:00 a.m. The United States has previously determined from reviewing the Court's publicly posted scheduling information that the Court is currently available for a hearing on that date. The assigned probation officer, Constance Cook, also has been consulted by counsel for the United States with respect to this date, and she has indicated that she is available on that date.

The defendant Becky Christian pled guilty pursuant to a plea agreement on July 24, 2008, to one count of conspiracy to misappropriate, receive, possess, and transmit trade secrets, gain unauthorized access to a protected computer, exceed authorized access to a protected computer,

1 and traffic in a password allowing unauthorized access to a protected computer. The case was
2 referred to the Probation Office for a presentence report. The plea agreement also includes
3 standard terms of cooperation.

4 In light of continuing cooperation under the terms of the plea agreement, the parties
5 jointly request that the sentencing status hearing on May 17, 2010, be continued for a sentencing
6 hearing on October 18, 2010. Additional time is needed for the defendant to complete her
7 cooperation with the government. Specifically, charges have now been filed against an alleged
8 co-conspirator of the defendant, David Nosal. The Nosal case is numbered CR 08-0237 MHP.
9 The United States has filed a notice of appeal in the Nosal case, and the case will not proceed to
10 trial until that appeal is resolved. The defendant Christian is expected to testify in that trial.
11 Because Ms. Christian will be required to testify at trial, her cooperation with the government's
12 investigation is not yet complete.

13 For all of these reasons, the parties jointly request that this Court vacate the sentencing
14 hearing presently set for May 17, 2010, and set a sentencing hearing for October 18, 2010, at
15 9:00 a.m. In addition, the parties jointly request that the due dates for the presentence report be
16 calculated using the new sentencing date.

17 SO STIPULATED.

18 Dated: April 7, 2010

SCOTT N. SCHOOLS
Acting United States Attorney

19
20 /s/
KYLE F. WALDINGER
Assistant United States Attorney

22
23 SO STIPULATED.

24 Dated: April 7, 2010

25 /s/
STEVEN M. BAUER
JOHN F. WALSH
Attorneys for defendant Becky Christian

~~PROPOSED~~ ORDER

GOOD CAUSE APPEARING,

IT IS ORDERED that the sentencing status hearing presently set for May 17, 2010, be continued to October 18, 2010, at 9:00 a.m. The final presentence report should be disclosed two weeks prior to the sentencing date.

Dated this 8th day April, 2010

